

## Direct Supervision

A Forklift Licence is a 5 year renewable photographic high risk work licence.

As of 1<sup>st</sup> January 2012 we all commenced working under the new Workplace Health and Safety Act 2011 and the Workplace Health and Safety Regulations 2011. This new Legislation supercedes any that went prior to this date.

There are many changes that we all need to be aware of in our workplaces but below are the main 3 that have a significant impact on the way high risk work training and licencing is delivered.

1. The first one relates to supervision. Previously under old Legislation, there were several different options for supervision levels. There is now only 1. That is **direct** supervision.

**Direct supervision** of a person means the oversight by the supervising person of the work of that person for the purposes of—

- a) directing, demonstrating, monitoring and checking the person's work in a way that is appropriate to the person's level of competency; and
- b) ensuring a capacity to respond in an emergency situation.

**Maximum fine for non-compliance is 60 penalty points (\$6,000).**

The only exceptions to direct supervision of the person are if the nature or circumstances of a particular task make direct supervision impracticable or unnecessary; and if the reduced level of supervision will not place the health or safety of the supervised person or any other person at risk.

2. A person conducting a business or undertaking (PCBU), i.e. employer, must sight a copy of the **current** forklift licence of the person supervising the forklift training (see ticked example below).

Maximum fine for non-compliance is 36 penalty points (\$3,600).



The Trainee Supervisor must have a current high risk work licence.

If not, the Trainee Supervisor is

- **not legal** to supervise training in the workplace and sign off on someone's logbook.
- **not legal** to operate a machine in the workplace with this type of licence

This situation needs immediate attention, depending on the “issuance date” of the original forklift licence, the licence holder may still be granted a “dispensation to convert” their expired licence through to a new photographic high risk work licence, without sitting any gap training or re-assessment.

Please call Workplace Health and Safety Qld on 1300 369 915 to check (or the relevant regulators in the state of issuance). If you are told that you are not able to renew your Licence and authority to operate please talk to us about the options for gap training and re-assessment through to the current high risk work licencing system.

If you find yourself in this situation and have no legal option of directly supervising your trainee whilst they are on a forklift in the workplace, that trainee may need to transfer to a 3 day course (all done in house with us) please call us to discuss your options.

**Penalties of up to \$20,000 apply for the illegal operation of a Forklift.**

3. A copy of the Trainee Supervisor’s Licence or written evidence should be kept on file for at least 1 year after the training finishes. (Fines of between \$1,250 and \$6,000 apply).
4. Finally please be aware that we need to give WHSQ 3 business days notification to book in the Trainee’s final practical assessment (and written if re-assessment is required)

On the day of Assessment, WHSQ Inspectors may attend our facility or the work site of the applicant and ensure that the employer, training supervisors and assessor are complying with their obligations under WHS Regulations with regard to the applicant.

If you have any issues with any of the above, please do not hesitate to contact us.